

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the
Western District of Louisiana

ROBERT MORGAN, et al

Plaintiff

v.

DEERE & CO INC, et al

Defendant

Civil Action No. 1:21-cv-00531-DDD-JPM

WAIVER OF THE SERVICE OF SUMMONS

To: Fred A. Pharis

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

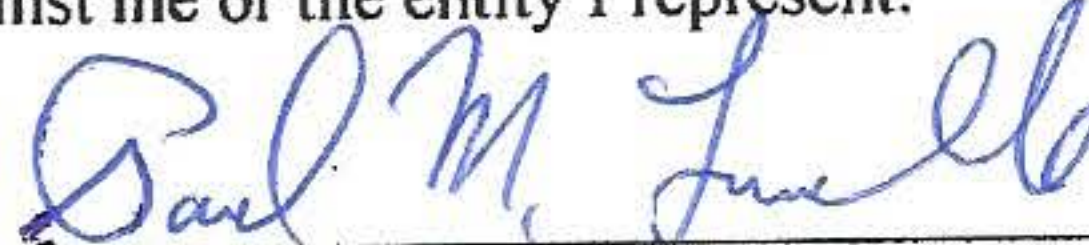
I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 03/04/2021, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date:

3/16/21

Deere & Company, Inc.

Printed name of party waiving service of summons



Signature of the attorney or unrepresented party

PAUL M. LAVELLE

Printed name

650 POYPRAS ST. STE 1950
NEW ORLEANS, LA 70130

Address

plavelle@cottenschmidt.com

E-mail address

504/568-9393

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

ROBERT MORGAN, et al.

Plaintiff

v.

DEERE & CO INC., et al.

Defendant

)
)
) Civil Action No. 1:21-CV-00531-DDD-JPM
) Judge Dee D Drell
)
)

SUMMONS IN A CIVIL ACTION

To:
Deere & Co Inc

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Fred A Pharis
Pharis & Pharis
831 Desoto St
Alexandria, LA 71201

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



CLERK OF COURT

Date: 3/3/2021

/s/ – Tony R. Moore